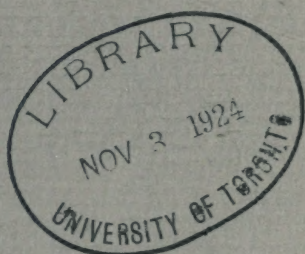


FOUR LAWS FOR WOMEN IN GERMANY

from the German of Dr. Alice Salomon



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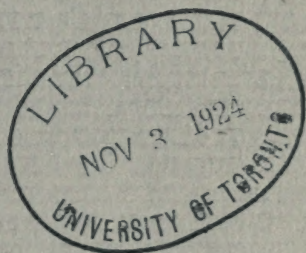
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ED BY THE WOMEN'S INDUSTRIAL COUNCIL,
7, JOHN STREET, ADELPHI, W.C.

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LABOUR LAWS FOR WOMEN IN GERMANY

[tr. from the German of Dr. Alice Salomon]



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Continued on pp. 3 and 4 of Cover.

Labour Laws for Women in Germany.

Translated from the German of Dr. Alice Salomon, Berlin.

Introductory. Towards the end of the 18th century the extension of the factory system and the use of machinery combined to thrust the claims of labour into the background. The relation of employer and employed had been a personal one, and in the workshop there were ties which bound master and servant together. But in the factory this relationship vanished, and the gulf between employer and employed, between labour and capital, yawned wider and wider. It is noticeable however that this change of industrial organisation (usually referred to by the convenient, though ambiguous term of the "industrial revolution") came about much more slowly in Germany than in England. Germany (like Austria) has refused to break with the past, and her factory legislation took its rise in enactments which were framed with a view to the ancient industrial organisation, and have been gradually transformed and extended to meet the needs of the great industry and the problems connected therewith. Thus at the end of the 18th century an act was passed in Prussia for regulating the conditions of apprenticeship, and while this act made provision for the subordination of apprentices and journeymen to the authority of their master, it also imposed upon him certain duties and responsibilities as their employer, and for their protection set limits to his control. Since the early days of the 19th century, the feeling has been gradually gaining ground that every man should be at liberty to choose his own calling and free to dispose of his working powers at his own discretion, unfettered by legal restrictions. But after the cramping restrictions of the old Guilds had been done away with, it gradually became clear that absolute freedom between masters and men was not practically desirable or indeed possible. The workman, whose sole capital is his power to work, is not free to dispose of this for money or use it for his own profit. For he finds no means of earning a livelihood open to him, except he submit to the conditions imposed by his employer, and in concluding a contract with the latter, he is in most cases at a disadvantage and has no freedom of choice. Through the 19th

century two distinct movements can be traced in Germany, (a) the movement for freeing industry from the old mediæval restrictions and for bringing the old guilds more into harmony with modern conditions; and (b) the movement for placing factory work under the control necessary to preserve the health and safety of the workers employed.

The factory law of Germany differs from French or English, in so far as it does not constitute a separate body of enactments, and is not distinct, as with us, from provisions against truck, control of markets, or regulation of contract between employer and employed. The German factory law forms a part of the industrial code of the empire (*Reichsgewerbeordnung*), which applies as a whole to all trades and industries. The scope of the industrial code is very wide, and includes *inter alia* the formation of guilds and workmen's committees, the regulation of the labour contract, the arbitration of disputes, the regulation of labour organisations, etc. Prussia, as might have been expected, took the initiative in industrial legislation, and afterwards imposed the same legislation, with some modifications and exceptions, upon the whole Empire.

The Edict of 1807 abolished serfdom in Prussia, and made free the right to possess land. In 1808 a circular was issued proclaiming the right of citizens to engage in such occupations as they desired. Exclusive privileges and industrial monopolies were abolished in several subsequent orders. In 1811 industry was freed by removing the compulsory membership of trade guilds, and permitting persons not members to employ labour and have apprentices. In 1845 an important Labour Act (*Gewerbeordnung*) was passed, which confirmed and extended industrial liberty, and removed some still-existing restrictions. But it also made an effort to maintain the old guilds, in order that the education of apprentices might be preserved and safeguarded. The exercise of a trade was subordinated only to the possession of the necessary aptitude for its prosecution, to a fixed domicile, and to a declaration to the local authorities. In exceptional cases only, where special intelligence was required, or the industry was dangerous to the public, were special authorisations required. This provision is still in force; the law enumerates certain dangerous or unhealthy trades, which are only to be carried on subject to special authorisation, which is dependent on the fulfilment of specified conditions of health and safety. Such are, for instance, chemical and gas works, foundries, starch factories, wool-sorting works, lead enamelling works, and others. The conditions of authorisation may and often do include conditions for the protection of workers employed. It is interesting to see that this regulation, which has attracted the attention of foreign observers and is rightly regarded as one of the most advanced provisions of

existing factory law, is connected through the enactment of 1845 with the regulations of the ancient guilds.

Early Factory Legislation. Factory regulation, as we understand it, began in Prussia in 1839, when an act was passed prohibiting the employment of children under nine in mines and factories, and limiting the working day of children under sixteen to ten hours, with other provisions intended to safeguard the health and safety of employees. In 1853 the age of child labour was raised to twelve, and the hours of work of children under fourteen were limited to six per day. In 1869 Prussian labour legislation was codified with some alterations, and after the creation of the Empire, the code was extended to the other Federal States. In 1878 the employment of women within three weeks of the birth of a child was prohibited, and large powers were given to the Bundesrath to regulate or prohibit their employment in industries likely to injure their health, or at night, in certain trades. In 1890 an International Labour Congress was held at Berlin for the discussion and consideration of the subject of Labour Legislation. The act passed in the following year, 1891, embodied most of the changes recommended by the German representatives at the Congress. It placed the employment of women and children under regulations far more stringent than had hitherto been attempted, enacted provisions concerning the making and breaking of the labour contract and the payment of wages, etc. The whole Labour Code was revised. The Industrial Code, however, still permits the separate State to initiate certain exceptions which may form part of the Labour law of any given State. The Industrial Decree (*Gewerbe Novelle*), of 1891, was so important and made so great changes that it is often spoken of in Germany as if it had been the beginning of factory regulation.

The Decree of 1891. The German laws relating to industry apply at present only to the hands in factories and workshops. The absence of corresponding laws for home-industries and field-labour is probably due to the circumstance that the serious risks attendant on the massing together of great numbers of operatives and the employment of mechanical motive-power in factories and workshops, naturally drew attention first of all. It must also be remembered that the organisation of the factory tends greatly to facilitate State intervention and control with respect to the protective measures adopted. For all persons—irrespective of age or sex—employed in factories or workshops, the following rules are in force:—

PROTECTION OF LIFE AND HEALTH.—The industrial employer is bound to see that his work-rooms, machinery, and so forth are of

such a kind and so placed as to ensure his workpeople from all injury to life and health, so far as the nature of the occupation admits. In particular he must provide for a sufficiency of light, air space, ventilation, removal of dust, &c., as well as for the needful appliances to protect the operatives from the danger of contact with the machinery and against other risks inherent in the nature of the work.

In the interests of morality measures must be adopted to ensure the observance of decency and propriety. Separation of the sexes must be carried out to the extent possible with reference to the requirements of the trade, and in cases where the workpeople have to change their clothes and wash themselves before and after work, adequate accommodation for the purpose must be provided for men and women separately.

HOURS OF WORK.—The working hours of all industrial labourers (in factories and workshops) are limited by the prohibition of work on Sundays and Festivals. In addition the German Federal Council (*Bundesrat*) is empowered to determine by decree the length of the working day, even for grown men, in respect of certain trades in which too long hours would be likely to endanger the health of the operatives.

WAGES.—Rules have further been established for all trades with regard to payment of wages, including the obligation to pay in cash, and the prohibition of the sale of goods on credit, of the payment of wages in public houses, &c.

RULES.—In order that the workman may know precisely what are his rights and duties, every manufacturer employing more than 20 hands is bound to draw up a Schedule of Rules and Regulations, which must be hung up in a suitable place inside the factory, a copy of it being presented to each new hand taken on. This schedule must contain the rules relating to hours of work, intervals for rest or meals, payment of wages, terms of notice, nature and amount of fines, &c., &c.

Children and Young Persons. A great number of special regulations in addition to those first mentioned relate to young persons and women respectively, so far as such are employed in factories and workshops that employ mechanical power, or in workshops of the clothing and underclothing trades in which clothing and underclothing for men, women and children are manufactured wholesale as well as in workshops where women's and children's clothing is made to order and measure, and lastly, in workshops where women's and children's hats are trimmed. These regulations do not apply to any business conducted by a single family.

The protection of young workers includes: 1. "Children" (under 14 years of age). 2. "Young persons" (children from 14 to 16).

In the factories and workshops above-mentioned children under 13 must not be employed at all, children under 14 only when they have completed the required school attendance, and then not more than 6 hours daily. For young persons of both sexes from 14 to 16 years of age the working-day must not exceed 10 hours.

Women. For women, i.e. for all female hands over 16 years of age, there are laid down—over and above the rules affecting all workers—certain regulations, the chief object of which is to limit the hours of labour. These last may not exceed 11 hours daily or 10 at most on Saturdays or on the eve of a festival, while night work (from 8-30 p.m. to 5-30 a.m.) is altogether forbidden.

In Bavaria children go to school only until they are 13, in other parts of Germany till they are 14. In special cases where the parents are very poor and it is desirable that the children earn their living, they may be excused from school.

The working day must include a interval for dinner at mid-day of at least an hour, which, for women who have a household to attend to, must at their request be extended to an hour and a half.

On Saturday or the eve of a festival work must cease at 5-30 p.m.

Lying-in Women may under no circumstances be employed during the first four weeks after their confinement, nor during the following two weeks, save with the certified permission of a recognised medical practitioner.

★ The employment of female labour in certain branches of factory work that are attended with special risks to the health or morality of the workers may, at the discretion of the Federal Council (*Bundesrat*), be absolutely prohibited, or permitted only under certain restrictions. The employment of women underground (in mines) is forbidden.

Unfortunately, however, the law provides for a number of exceptions to the above rules respecting the hours of labour, exceptions which render adequate control difficult and greatly weaken the effect of the law.

In some branches of trade for example, which flourish in particular at certain seasons of the year, as well as in other cases where there happens to be temporarily an extra-pressure of work, the police Magistrates can grant permission for a 13 hours day for a period of two consecutive weeks, Saturdays excepted. The entire amount of overtime thus conceded during any one year must not however exceed 40 days.*

* Section 138A. For some further exceptions, which only the higher Government Boards can grant, see the *Reichs Gewerbe Ordnung* itself.

Factory Inspection. The control over the administration of all these regulations is vested—either solely or in conjunction with the local police authorities—in factory inspectors specially appointed to this office by the Government of the State in question, which they are bound to keep periodically informed of their proceedings. It is the duty of these officials to report every illegality that comes to their knowledge, in order that any manufacturer who transgresses the law may be duly punished. According to the Prussian code of instructions factory inspectors “should make it their business—aided by their familiarity with the legal provisions, their technical knowledge and practical experience—to assist by expert advice and friendly mediation in promoting such an adjustment of the mutual relations of trade and labour as—without burdening the employers with useless sacrifices or needless restrictions—shall insure to the employees the full measure of protection designed by the law, while at the same time protecting the public from all hurtful or noxious effects of the trade.” The inspectors are further instructed to “shew equal alacrity to defend the true interests of employers and employed, and, in general, by the whole tenor of their official activity to aim at winning the confidence of both parties, so that they may be enabled to help in the preservation and promotion of mutually friendly relations. The duty of the masters is to give the inspecting officer every support in carrying out the legal provisions, as well as to assist him, should he desire it, in the making of arrangements designed to further the welfare of the men both in and out of working hours. The inspector again must lend a willing ear to the workers’ wishes or grievances and, if convinced that these are justified, give every assistance compatible with his office towards their fulfilment or redress.”

It may be admitted that on the whole—especially in the larger German Federal States—these officers discharge their duties in an exemplary manner and in general achieve a strict fulfilment of the law. The number of factory inspectors for the whole of Germany exceeds 350, of whom 14 are women. The annual reports of these officials from the different States are among the most instructive documents published in connection with the condition of the working-classes and of trade in general.

Industrial Courts and Courts of Conciliation. All disputes arising out of or connected with wage-contracts are settled by the Industrial Courts (*Gewerbe-gerichte*), which have the advantage, as against the ordinary courts, of quicker and cheaper proceedings. They enjoy the confidence of the

wage-earning classes in a peculiar degree, owing to the fact that in them judgment is given by expert representatives both of masters and men. An impartial chairman is elected by the Municipal Authority (*Gemeinde Verwaltung*), his colleagues on the Bench by the employers, and by the (male) employees respectively. Women have as yet no voice in the election of members to this court, hence the demand that they should be entitled to vote at these elections forms a necessary and important corollary of all protective laws for female wage workers.

Where disputes arise respecting the conditions of work (during strikes and such-like), the Industrial Court may also be appealed to as a Court of Conciliation (*Einigungsamt*). In this case, however, it can only act when both parties agree to invoke its decision. In its character of Court of Conciliation it has no authority to compel the attendance of the disputants. It is the office of this court to bring about, if possible, a reconciliation of conflicting interests. Where this cannot be done, a decision is pronounced which the contending litigants are at liberty to accept or reject at will. Though the Court of Conciliation can thus exercise no legal compulsion, it yet can exercise a moral pressure and do much towards settling differences and preventing strikes and lock-outs. Above all, these courts make it their endeavour to arrange wage-contracts by agreement between the trade-unions and the employers' associations for the better preservation of industrial peace.

Value of the Special Protection of Female Labour.

A study of the laws relating to female labour reveals that it has been the special aim of the legislators to protect and preserve the health of the women in their character as wives and as the mothers of future generations, and to provide that their wage-earning labour should not exclude at least some measure of consideration for home and family duties. On the one hand, the regulations are intended to prevent injury to health through over long hours or the resumption of work too soon after confinement, often the cause of serious illness, which may render the patient incapable of bearing healthy offspring. But they are also intended to secure the mother's care to children during the first few weeks of life, in order that they may not, at so critical a period of their development be exposed to extra risks. On the other hand, the extension of the mid-day interval for those women who have households to attend to, points to the conclusion that the women ought to receive due consideration with respect to their domestic duties.

New Demands. Now it has been frequently pointed out, especially of late years, that the existing regulations do not even approximately suffice for the attainment of their object—namely,

the protection of family-life. A vigorous agitation has therefore been started in favour of an extension of the present protective laws. In many quarters, notably among members of the Roman Catholic party in parliament, the exclusion of married women from factories has been aimed at and efforts have been made to obtain from the legislature the prohibition of factory-work for all such women. The objection to such a measure is, however, that it would mean, not protection but restriction, not benefit but harm to the working-classes. For the married woman does not enter the factory out of pure wantonness, she does not neglect her children because she finds factory-life more attractive than home-life, or from a desire to spend her wages on luxuries. She goes to the factory because necessity drives her, because she can find no other means of subsistence, or because the alternative is starvation for herself and her children. Careful enquiries* have elicited the fact that the married female operatives are almost invariably women who have been separated from or abandoned by their husbands, or else women whose husbands are, through illness, incapable of doing a full day's work. A woman whose husband can support his family very rarely enters a factory. Where her domestic and maternal duties do not fill up all her time, she will try to eke out her earnings by some remunerative occupation that she can pursue at home. Such work, it is true, is generally worse paid than factory work, but it can be taken up or dropped at will, and pursued in conjunction with household labours. The factory on the contrary, though paying higher wages, claims the woman's work from 6-o in the morning till 6-o or 7-o at night, so that she cannot in any real sense be a mother to her children. Moreover when she comes home in the evening, tired and worn-out with her work, she has still her household to attend to, at a time when a man is able to enjoy a well-earned rest, so that married women who work in the factory bear a double burden.

For this reason factory work is as a rule sought after only by those women, for whose needs the low wages of home work will not suffice and who ought not to be deprived of this way of earning their living. But if work in the factory be a necessity for women—even for married ones—it is all the more desirable that protective legislation should be so extended and worked out in such detail as to ensure the fullest attainment of its object, viz. protection for the health of the female working-population, as well as for the family and the home.

* Comp. reports of German Factory Inspectors for 1899 in the *Enquête* concerning factory work for married women. Incorporated in the Memorial of the Imperial Home Office, touching the employment of married women in factories.—Berlin, 1901.

A chief means to this end, desired not merely by the women of Germany, but by most of her great political parties, is the reduction of the maximum working day to 10 hours (to start with), a demand long since ripe for settlement, which has been proved practicable by enquiries of a Government Commission.* For this concession working-women have already fought many a hard battle, (our readers need but recall the strike at Krimitschan in 1903-4) and it ought no longer to be withheld from them, especially in view of the fact that most firms employing women have already adopted the 10 hours day, so that the legal enforcement of this measure would merely compel backward employers to bring their establishments up to date. As a complementary measure the Saturday half-holiday—already general in England—must be claimed for our working-women, in order that they may have this free time for setting their households in order, making or mending their own clothes, linen, &c. Only thus can the Sunday be made a real Day of Rest for women. A further desideratum is the raising of the age-limit for the protection of the young persons of both sexes from 16 to 18 years.†

Not less important, however, is the demand for a more effective protection of mothers both before and after the birth of their children. It should be made possible for such women to stay away from work for the last week before their confinement, and afterwards to nurse and attend to their babies for longer than six weeks. It is mainly owing to over-exertion at this critical period that the diseases peculiar to women are so markedly prevalent among working women, that infant mortality reaches so alarmingly high a figure, and that the general health of the children leaves so much to be desired. Here the first step would be to demand such an extension of prohibitive legislation for child-bearing women that they should not be permitted to come to work for about two weeks before, and six weeks after, their confinement, i.e., for about *eight weeks* altogether. Such a law is practicable only on condition that the women receive compensation for loss of wages. Germany has taken the first step in this direction by her Law of Insurance against Sickness (*Krankenversicherungsgesetz*),‡ which grants to lying-in women for a period of six weeks, an allowance generally equal in amount to one-half the average day's

* The Working Hours of Female Factory-hands. From the reports of Factory Inspectors, collated in the Imperial Home Office, Berlin 1905. Published by Von Decker.

† Comp. Publications of the Society for Social Reform, *Verein für Sociale Reform*, vols. 7 and 8, published by Fischer, Jena.

‡ "Krankenversicherungsgesetz," sec. 20 and 21. Text edition with notes, by Dr. E. von Woedske, Published by Guttentag, Berlin.

wage of the particular locality in question. Unfortunately, however, this rule, like most of the protective laws, applies solely to the women in factories and workshops or employed in home industries;* it does not include domestic or farm servants. Moreover, the amount granted is far too small, the time allowed for rest and the receipt of relief much too short, so that an expansion of this law on the lines above suggested would bring it at least somewhat nearer the ideal of maternity insurance.

Objections. This programme for extending the laws relating to the protection of working women has been met by objections from the most various quarters. It is said, for instance, that the reduction of the hours of labour should not come from the State, but should be fought for and won by the women themselves, as has in several instances been done by the men through their Trade Unions. Now the whole history of the Women's Rights Movement—not in Germany only, but in other countries also—has taught us that women are not able by the aid of their trade organisations to win for themselves any really effectual protection. Women's work is, in a far greater degree than men's, "unskilled labour," and unskilled labourers, whose place is at all times easy to fill, are, even when backed by organisation, powerless to command favourable conditions of work. Again, among the female industrial workers, whose work cannot properly be classed as unskilled labour, there are but few who join their trade societies, and this is not solely due to those obsolete association-laws of many German States, which cripple women in their freedom of action; it is also the natural re-action of their having for centuries past worked in the isolation of their several households, precluded from all possibility of developing the feeling of solidarity with their fellows. Probably it is also attributable to the extremely low wages of women, which make it often impossible for them to pay a regular subscription even of a few farthings to the union funds. And last, not least, it is certainly the fact that a large percentage of working women are only temporarily engaged in wage-earning work, and that the younger women see in their occupation only a transition stage, and count on marriage as their future means of subsistence. These considerations in part account for the fact that the majority of working women take less interest than do working men in the trade organisations that promise them better conditions

* Women employed in home industries are under the law, and therefore share in the pecuniary relief given to lying-in women, though the rule concerning abstinence from work, which is binding on the factory women, does not of course apply to them.

of labour in the future. All these difficulties make it doubly needful that working women should receive the help of the State in order that they may be guaranteed at least such a minimum of protection as working men have long since fought for and secured for themselves. Thus only is it possible to prevent the women from depressing by their competition the wages and conditions of work of men, or from underselling them in the labour market.

These protective laws are by no means onesided measures designed for the exclusive benefit of women, but are adopted in the interests of the community, i.e., for the health and well-being of the whole nation. Men and women have different tasks to fulfil, and have to earn their bread under different conditions. The special task of woman claims for her a special protection.

The objection is sometimes raised that by such laws women are placed on the same footing as children and minors. German legislation, however, distinguishes four different categories of workers, namely, children, minors, women and men. Even for grown men the State regulation of working hours may under certain conditions prove desirable, and this has been recognised in Germany in the rules issued for bakeries, &c. No doubt a maximum working day is desirable for all classes of workers. The present political situation does not however lend itself to the passing of a law of this nature, and we cannot in the meantime forego the protection of women, for whom legal limitation of the hours of labour is undeniably more necessary and important than for men, inasmuch as a woman is from natural causes more liable to be injured by over exertion than a man is. And even though the hours of labour were to be universally settled by law for all categories of workers, it would still be necessary to make for working women special demands in regard to the protection of girls at the growing age and of lying-in females, and to (the proposed scheme of) maternity insurance.

Exclusion of Women. Of more importance than this last objection is the question, whether the protective laws have or have not a tendency to exclude women from the labour market, to shut them out from the better situations and generally to aggravate the difficulties of their position. Doubtless single cases might be adduced, in which a woman had, owing to some new regulation, lost her place. But social and economical progress cannot call a halt because here and there the interests of the individual appear for the moment to be threatened. In all protective legislation the leading idea is that the compulsion exercised and the loss of liberty inflicted on the individual whose freedom of contract is restricted,

will augment the sum total of liberty in the social organism, and give more freedom than it takes away.

If we consider the labour market of our country as a whole, we are led to the conclusion that women in general have in no way suffered by the protective laws. The ground lost here and there in some branches of trade has been much more than regained in others. During the last decade of the 19th century, *after* the introduction of the maximum working day for women, the demand for female labour increased in a greater proportion than that for male labour.

Opposition of Employers. It yet remains for us to deal with the objections brought forward by the employers against any and every extension of protective legislation. In Germany many Employers' Associations are obstinately waging war against every measure that could in the slightest degree restrict their freedom in dealing with their workpeople. Increased cost, the loss of our export trade, increased difficulty of competition with other nations in the world's labour market, &c., &c., such are some of the arguments used as weapons in the strife. But it should not be forgotten that Germany is by no means the only country subject to such regulations, that most civilised nations lay similar burdens on their commerce, and that almost everywhere the protection of labour is counted among the achievements of social politics in recent years, so that no special hardship to Germany is involved. Moreover, drastic labour protection is the means to secure a healthy and industrious population, and the country which enforces it will be better able than less advanced nations to cultivate her export industries and maintain her place in the world's market, not always perhaps on the score of the cheapness of her products, but rather on that of their excellent quality. Just as a single factory does not turn out dearer goods because its owner provides for the health and comfort of the hands, so a whole nation will be no less fit to compete on favourable terms with other nations because its working class are intelligent operatives, living under healthy conditions, instead of miserable victims of the sweating system.

If an export trade can hold its own solely on condition that its employees live worse, work longer hours and earn lower wages than the workers in other countries, it is clear that the trader exports in the first instance at the cost of the employees, but ultimately at the cost of the whole country.

Protection Demanded for other Classes of Workers. Not the interests of working women alone therefore, but those of national life as a whole demand further progress along the paths already trodden. Progress

comes and requires not merely a further development of legislation for the already protected classes, but still more a corresponding protection extended to all those engaged in home industries, agricultural labourers, and domestic servants. The want of this protection—already bearing hardly enough on the last-named two categories—is of special significance in relation to home industries. For the rule of the maximum working day obtaining in factories may be easily eluded by giving the female hands piece-work to take home with them after closing time, not to mention other ways in which the protection of female labour in factories furnishes the masters with an incentive to increase the amount of work given out to be done at home. Thus in the end the absence of protection for home industries acts as a positive hindrance to the development of protective legislation for factories. Effectual protection for the wage-earner must benefit at once the home worker and the factory hand, protecting both from the drawbacks at present inseparable from home-industrial labour.

Conclusion. The demand for the legal protection of wage-earning women forms one link in the chain of efforts made by modern woman to raise the status of her sex. For this protection, though at first sight assuming the form of compulsion, serves in the long run to safeguard the personal freedom of the individual, and this is, in the main, the end and object of all social-economic measures. Closer observation shows that those very protective laws for working women, which oblige them to submit to certain restrictions, do in effect render them in their whole inner and outer life freer, more efficient, and more independent.

APPENDIX.

Insurance Laws. The one direction in which an attempt has been made to protect all categories of workers is that of Insurance legislation.*

While the Protective laws are chiefly concerned with the health of the active worker, the Insurance laws aim at securing him an income for the time of old age or permanent disablement, as well as in cases of temporary sickness or accident. They start with the assumption that the average wages a working man can earn during his active years should not only suffice for his own and his family's support during this period, but should leave a margin for unforeseen expenses, as *e.g.*, when—through no fault of his own—the man is temporarily out of employment, when sickness knocks at his door, or when old age sets a term to his active labours. Now, the wages of working people are mostly inadequate, even with the utmost thrift, to meet these demands, and very few members of the wage-earning community possess this virtue of thrift to the extent required. Working men and

* The Insurance laws and those for the Protection of labour are usually classed together under the term "Social Legislation."

women are therefore required to put by for a rainy day, so that the co-operation of all may in some degree make good the casualties that befall the individual. All insurance is based on the principle of laying the burden of risk on as many shoulders as possible. But these Insurance laws do not place the various categories of male and female labourers on precisely the same footing.

Insurance against Old Age and Disablement. All persons who work for a wage or salary are subject to the law of compulsory insurance against old age and disablement.* This includes agricultural labourers, mechanics, employees in all branches of trade, commerce, or traffic, domestic servants and home-workers in the tobacco or textile trades. Half the premium must be paid by the employer and half by the employee. The insured person is then prospectively entitled:

Firstly: To an invalid-pension, payable in the event of permanent disablement. In cases of prolonged illness the Insurance Authorities are empowered to submit the patient—at their own cost—to special medical treatment with a view to averting complete disablement.

Secondly: To an old-age pension, payable on the completion of the 70th year, provided the claimant be not entitled to or already in receipt of the invalid pension.

Insurance Against Sickness. The Law of Insurance against Sickness applies to all persons employed for a wage or salary in a factory or in any mechanical trade. It therefore excludes all independent persons working at home on their own account (*Hausindustriellen*), but not the wage-workers in these trades. It also excludes the agricultural and forest labourers and all domestic servants. These last three categories of wage earners can, however, be brought under the benefit of the law by means of a statutory declaration from their respective municipal authorities, † while the same can be done for all house industries by a decree of the Federal Council of the Empire (*'Bundesrat'*). ‡ Of the premium, one-third is paid by the employer, the remainder by the employee. Its payment entitles the latter:

1. To free treatment by doctor or dentist from the commencement of the illness, together with free medicine; such appliances as spectacles, trusses and so forth being also supplied free of cost.

2. In cases where the insured person's illness throws him temporarily out of work, the so-called 'sick money,' payable for a period not exceeding 26 weeks reckoned from the third day after the beginning of the illness.

3. (Where the patient is a lying-in female.) To outdoor relief for six weeks after the confinement, provided the applicant has during the preceeding six months belonged to the Insurance organisation.

In place of being treated by one of the medical men appointed by the authorities, patients may be granted free treatment at a hospital. Where the sick person's wages are required for the support of members of his family these latter receive, so long as he is in hospital, one half the usual amount of sick-money, (*Krankengeld*) otherwise allowed to the patient himself.

Both the sick-money and the relief-money for lying-in females (*Wöchnerinnen-Unterstützung*) must be equal to at least half the average day's wage of the locality in question.

* Law of Disablement Insurance (*Invaliditäts Versicherung*) Text with notes by Woedske. Published by H. Guttentag, Berlin.

† In most of the South German States this insurance has been extended to agricultural labourers and domestic servants.

‡ For the independent workers in house-industries this has been done in a great number of places.

Accident Insurance. The Accident Insurance laws* apply to all labourers of either sex employed either on buildings in course of erection, in factories, forests, or farms. These laws are designed to give compensation for the temporary or permanent loss (or limitation) of his wage-earning powers that a labourer may suffer in consequence of any accident that befalls him in the course of his work. His compensation takes the form of free medical treatment and a pension, the latter—in cases where the accident proves fatal—being paid to the widow or children of the deceased. The premiums are paid exclusively by trade associations of employers.

The fabric of Insurance Legislation will not be complete until it includes compulsory insurance for the widows and orphans of the working-men, as well as for wage-earners of either sex temporarily out of employment.

The immense benefit accruing from German insurance legislation (perceptible even now, despite all defects of the system) is due to the fact that it is not—as with most voluntary institutions and funds of the kind—merely the élite of the labouring classes who participate in its advantages, but that all wage-earners have a legal claim to receive compensation in cases of accident, that they are not obliged to come upon the Parish and that the burden of insecurity in the lot of the working-man of to-day is at least to some extent lightened.

* Trade and Accident Insurance, by Woedtske. Published by Guttentag, 1900.

BOOKS RECOMMENDED TO STUDENTS.

There is an excellent summary of the history of German Factory Legislation, by W. F. Willoughby, in the "Bulletin of the Labour Department" of the U.S.A. : March 1900. See also "La Législation du Travail," Ch. Morisseaux, Bruxelles, 1895.

Conrad's Handwörterbuch der Staatswissenschaften, articles "Arbeit," and "Arbeiterschutzgesetzgebung."

Royal Commission on Labour, Foreign Reports, Vol. V. Germany.

Annual Report of Chief Inspectors of Factories and Workshops for 1895. (Report by Miss Anderson on "Protection of Labour in the German Empire," p. 136).

Annuaire de la Législation du Travail. Office du Travail, Belgique, 1898 and 1899.

Those who wish to make a more exhaustive study should refer to the Reichs-Gewerbe-Ordnung nebst Ausführungbestimmungen. Text Ausgabe mit Anmerkungen und Sachregister, von Dr. T. Berger and Dr. Wilhelm. Berlin.

Amtliche Mittheilungen der Gewerbeaufsichtsbeamten. (Reports of Factory Inspectors).

PRINTED BY
WADSWORTH AND COMPANY,
THE RYDAL PRESS,
KEIGHLEY.

PUBLICATIONS *(Continued from p. 2 of Cover).*

REPORTS ON TRADES.

Reports of women's work in the following trades have appeared in back numbers of the *Women's Industrial News*. Except Nos. 8, 13 and 18, the enquiries were the work of the Investigation Committee of the Women's Industrial Council. Price 4½d. each post free.

1. Fur-pulling (*News*, March 1898; *Nineteenth Century*, November 897).
2. Typing (*News*, June 898 and September 898).
3. Boot Trade (*News*, September 898).
4. Printing Trades (*News*, Dec. 898 and Dec. 1904; *Economic Journal*, June 1899).
5. Straw Plait Industry (*News*, Sept. 1899).
6. What Occupations are taken up by Girls on Leaving School? (*News*, March 1900).
7. Upholstery (*News*, March 1900; *Open Doors for Women Workers*, 1903).
8. Birmingham Pen Trade (*News*, June 1900).
9. Women's Work in Dustyards (*Economic Journal*, Sept. 1900).
10. Cigar-making (*News*, Sept. 1900 and Dec. 1900; *Economic Journal*, Dec. 1900).
11. Domestic Service (*News*, March 1900, June 1901; *Nineteenth Century*, June, 1903).
12. Pharmacy (*News*, June 1901).
13. The Clothing Trade in Amsterdam (*News*, Sept. 1901, Dec. 1901).
14. French Polishing (*News*, March, 1902).
15. Sanitary Inspecting (*News*, March 1902).
16. Machining (*News*, March 1903).
17. Artificial Flower-making (*News*, June 1903; *Economic Journal*, March, 1903).
18. Fruit-picking (*News*, Sept. 1903).
19. Jewel Case Making (*News*, June 1904).
20. Embroidery, Part I. (*News*, Sept. 1904).
21. Tailoring (*News*, Sept. and Dec. 905; *Economic Journal*, 1904).
22. Millinery (*News*, March 1906).
23. Jewellery (*News*, March, 1907).

The Committee have also partially investigated the following trades, and the information collected may be consulted in manuscript at the office, after written application to the Secretary.

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|-------------------------|---------------------------------|
| 1. Lacquering. | 8. Confectionery. |
| 2. Box-making. | 9. Haircutting. |
| 3. Military Cap Making. | 10. Boot-making. |
| 4. Dress-making. | 11. Jewel Case Lining. |
| 5. Mantle-making. | 12. Electrical Fittings Making. |
| 6. Military Tailoring. | 13. Gentlemen's Hat Lining. |
| 7. Leather Working. | 14. Laundry Work and Ironing. |

HIRE OF COMMITTEE ROOM.

The Office, No. 7, John Street, Adelphi (second floor), can be lent for committee meetings. Seats for 34 persons. Charge 2/6 inclusive for a meeting of two hours, and 1/- per hour or portion of an hour after that time.

W.I.C. COMMITTEE MEETINGS.

- | | |
|--------------------------------|-------------------------------|
| 3rd Monday, 3-15 p.m. - - - | INVESTIGATION COMMITTEE. |
| „ 5-0 p.m. - - - | EDUCATION COMMITTEE. |
| 1st Wednesday, 2-30 p.m. - - - | CLUBS INDUSTRIAL ASSOCIATION. |
| „ 3-30 p.m. - - - | ORGANISATIONS COMMITTEE. |
| 4th Monday, 4-30 p.m. - - - | LEGAL COMMITTEE. |
| 4th Thursday, 3-0 p.m. - - - | EXECUTIVE COMMITTEE. |

Visitors are welcomed to all the Committees except the last.

PUBLICATIONS (*Continued from pp. 2 and 3 of Cover*)

(Postage as stated, or $\frac{1}{2}$ d. for single copies; 1d. per dozen.)

What has already been done by the Council. Free.

Home Work Bill, reprint of, 1905. 1d.

Women in the Printing Trades, by J. Ramsay MacDonald, M.P.
Price 7/6, post free 8/-.

The Case for the Factory Acts, edited by Mrs. Sidney Webb, 9d.,
post free 1/-.

Report on Home Industries of Women in London (1897).
Price 1/-, postage $1\frac{1}{2}$ d. (Very few copies only.)

Report on Technical Education for Girls at Home and Abroad.
3d., post free 4d.

LEAFLETS AT 1d. EACH, OR 9d. PER DOZEN, 2/6 PER 100.

Questions *re* Truck.

Memorandum to the Central Committee *re* Unemployed Women.

London Borough Councils and the Welfare of Women Workers.

The L.C.C. and the Welfare of Women Workers

The Rhyme of the Factory Act, by Clementina Black (on
Ornamental Card for hanging, 1/-, postage 5d).

The Truck Acts, by Stephen N. Fox and Clementina Black.

LEAFLETS AT $\frac{1}{2}$ d. EACH, OR 4d. PER DOZEN.

Summary of **The Factory Act.**

Summary of **The Shop Hours Act.**

Summary of **The Employers Liability Act.**

PUBLICATIONS OF OTHER SOCIETIES KEPT FOR SALE.

Women and the Factory Acts, 1d., by Mrs. Sidney Webb (Fabian
Society).

Home Work and Sweating, by B. L. Hutchins, 1d. (Fabian Society).

Hints to District Visitors on Sanitation, 2d. (N.U.W.W.)

Hints to District Visitors in Legal Difficulties of the Poor, 1d.
(N.U.W.W.)

Labour Laws for Women, their Reason and their Results, 1d.
(City I.L.P.)

Commercialism and Child Labour, 1d. (City I.L.P.)

Report of Committee on Wage-Earning Children, 1d. (W.E.C.
Committee).

Home Work amongst Women in Glasgow. Part II., 6d., by post
 $7\frac{1}{2}$ d. (Scottish Council for Women's Trades). Part I. is out of print.

Women as Barmaids, price 1/-, postage $1\frac{1}{2}$ d. (Joint Committee
on Barmaids).

The Problem of Home Work, by Miss Irwin. Price 4d., post free
5d. (Scottish Council).

